

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF	)	
Kermarec, et al.	)	Examiner: Joseph E. Avellino
SERIAL NO.: 10/054,207	)	Group Art Unit: 2143
FILED: January 22, 2002	)	Customer Number: 23644
FOR: Methods of Establishing Virtual Circuits	)	Confirmation No. 4665
and of Providing a Virtual Private	)	
Network Service Through a Shared	)	
Network and Provider Edge Device	)	
for Such	)	

## RESPONSE ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION

Honorable Director of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This response is being filed as part of a Request for Continued Examination following the decision by the Board of Appeals and Interferences on October 29, 2010. No claim amendments are being made, since none are believed necessary in view of the arguments presented below.

Claims 20-27, 30-33, and 49-58 stand rejected under 35 USC 103(a) as being unpatentable over Jain in view of Walker in view of Goodwin as affirmed by the decision of the Board of Appeals and Interferences (BPAI) dated October 29, 2010.

Applicant requests reconsideration of the rejection because Goodwin does not have a valid claim to priority. Goodwin (US2002/0124107) claims priority from provisional application 60/256829 filed on December 19, 2000. The priority filing consists of 15 pages and only three drawings. The subsequent filing is substantially longer and includes 6 drawings.